



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP AMENDMENT

Patent Application of

Paul Kennedy

Application No.: 09/841,008

Filing Date: April 25, 2001

Title: ACCESS AUTHENTICATION FOR DISTRIBUTED NETWORKS

Group Art Unit: 2131

Examiner: CHRISTIAN A LAFORGIA

Confirmation No.: 4932

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ Terminal Disclaimer(s) and the ☐ \$65.00 (2814) ☐ \$130.00 (1814) fee per
Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☐ Also enclosed is/are _____

☐ Small entity status is hereby claimed.

☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the
☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) requests that any previously unentered after final amendments not be entered.
Continued examination is requested based on the enclosed documents identified above.

☐ Applicant(s) previously submitted _____

on _____,
for which continued examination is requested.

☐ Applicant(s) requests suspension of action by the Office until at least _____,
which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R.
§ 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also
enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	8	MINUS 20 =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims	3	MINUS 3 =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					\$ 0.00
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.


The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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Alexandria, Virginia 22313-1404
(703) 836-6620

Date: July 18, 2005

By 
James A. LaBarre
Registration No. 28,632



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Paul Kennedy

Application No.: 09/841,008

Filed: April 25, 2001

For: ACCESS AUTHENTICATION FOR
DISTRIBUTED NETWORKS

) **MAIL STOP AMENDMENT**

) Group Art Unit: 2131

) Examiner: CHRISTIAN A
LAFORGIA

) Confirmation No.: 4932

RESPONSE TO COMMUNICATION DATED JUNE 16, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The communication dated June 16, 2005, alleges that new claims 9-25, submitted with the Amendment filed March 23, 2005, are directed to an invention that is independent or distinct from the invention set forth in original claims 1-8, and indicates that claims 9-25 have been withdrawn from consideration. Since original claims 1-8 were canceled with the presentation of new claims 9-25, the communication holds the Amendment to be non-responsive. Applicant respectfully traverses the allegation, and requests withdrawal of the holding of non-responsiveness and examination of the pending claims.

Original claim 5 recited a method that included the steps of "creating a master directory structure" and "replicating said master directory structure...." Claim 6 further recited that the master directory structure is contained within a host data center, and claim 8 recited that the multiple directory structures are distributed among multiple remote data centers. New claim 9 recites a method that includes the steps of "storing a directory structure at one of said locations," and "replicating said

directory structure among said plurality of locations." Although claim 9 recites additional subject matter that further clarifies the distinctions over the prior art, it can be seen that the claim is directed to the *same* area of subject matter as original claim 5 and its dependent claims.

A similar result can be seen from an analysis of the system claims. Original claim 1 recited a system comprising a master directory service contained within a host data center, and a plurality of directory structure copies contained within each of the remote data centers. New claim 21 recites a distributed network, i.e. a system, comprising a master directory server at one of the locations, and at least one directory server at each of the other locations. Thus, it can be seen that the claims are directed to the same substantive invention.

In setting forth the allegation that the new claims are directed to a different invention, the Office Action focuses only upon the *preamble* of new claim 9, which recites a method for authenticating users to individual network devices. The Action alleges that this subject matter is different from the original claims, which it characterizes as being "directed to an authentication database being replicated amongst remote data centers." As can be seen from the foregoing discussion, however, the new claims encompass this original subject matter. Claim 9 explicitly recites the step of "*replicating* said directory structure among said plurality of locations." In an analogous manner, claim 21 recites "each of said directory servers containing a *replicated* copy of said directory structure."

Accordingly, it is respectfully submitted that the Office Action does not demonstrate that newly submitted claims 9-25 are directed to a different *substantive* invention than the original claims. The fact that this subject matter is presented as

new claims, and the new claims contain additional recitations, is no different than if the original claims had been amended to include those recitations.

Accordingly, it is respectfully submitted that the Amendment filed March 23, 2005, is fully responsive to the Office Action. Withdrawal of the holding of non-responsiveness, and an Action on the merits of claims 9-25 is respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 18, 2005

By: _____



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